

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: APPARATUS AND METHOD FOR CONCURRENT CHEMICAL SYNTHESIS the specification of which _____ is attached hereto or was filed on May 18, 1999 as Application No. 09/315,363 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/113,571	December 22, 1998

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Last Name: HEYNEKER	First Name: HERBERT	Middle Name or Initial: L.
Residence & Citizenship:	City: San Francisco	State/Foreign Country: California	Country of Citizenship: NL
Post Office Address:	Post Office Address: 2244 Steiner Street	City: San Francisco	State/Country: California Postal Code: 94115
Full Name of Inventor 2:	Last Name: HA	First Name: KIM	Middle Name or Initial: D.
Residence & Citizenship:	City: San Jose	State/Foreign Country: California	Country of Citizenship: US
Post Office Address:	Post Office Address: 5540 Bollinger Road	City: San Jose	State/Country: California Postal Code: 95129
Full Name of Inventor 3:	Last Name: STEINMILLER	First Name: DAVID	Middle Name or Initial: K.
Residence & Citizenship:	City: Palo Alto	State/Foreign Country: California	Country of Citizenship: US
Post Office Address:	Post Office Address: 3737 Middlefield Rd.	City: Palo Alto	State/Country: California Postal Code: 94303
Full Name of Inventor 4:	Last Name: SIMONYI	First Name: VICTOR	Middle Name or Initial: F.
Residence & Citizenship:	City: Berkeley	State/Foreign Country: California	Country of Citizenship: US
Post Office Address:	Post Office Address: 2342 Shattuck Avenue #306	City: Berkeley	State/Country: California Postal Code: 94704

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 HERBERT L. HEYNEKER	Signature of Inventor 2 KIM D. HA	Signature of Inventor 3 DAVID K. STEINMILLER
Date	Date	Date
Signature of Inventor 4 VICTOR SIMONYI	Signature of Inventor 5	Signature of Inventor 6
Date 6-22-99	Date	Date

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **APPARATUS AND METHOD FOR CONCURRENT CHEMICAL SYNTHESIS** the specification of which _____ is attached hereto or X was filed on May 18, 1999 as Application No. 09/315,363 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

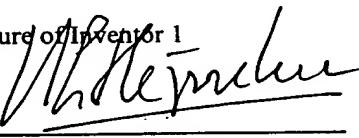
Application No.	Filing Date
60/113,571	December 22, 1998

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Last Name: HEYNEKER	First Name: HERBERT	Middle Name or Initial: L.
Residence & Citizenship:	City: San Francisco	State/Foreign Country: California	Country of Citizenship: NL
Post Office Address:	Post Office Address: 2244 Steiner Street	City: San Francisc	State/Country: California Postal Code: 94115
Full Name of Inventor 2:	Last Name: HA	First Name: KIM	Middle Name or Initial: D.
Residence & Citizenship:	City: San Jose	State/Foreign Country: California	Country of Citizenship: US
Post Office Address:	Post Office Address: 5540 Bollinger Road	City: San Jose	State/Country: California Postal Code: 95129
Full Name of Inventor 3:	Last Name: STEINMILLER	First Name: DAVID	Middle Name or Initial: K.
Residence & Citizenship:	City: Palo Alto	State/Foreign Country: California	Country of Citizenship: US
Post Office Address:	Post Office Address: 3737 Middlefield Rd.	City: Palo Alto	State/Country: California Postal Code: 94303
Full Name of Inventor 4:	Last Name: SIMONYI	First Name: VICTOR	Middle Name or Initial:
Residence & Citizenship:	City: Berkeley	State/Foreign Country: California	Country of Citizenship: US
Post Office Address:	Post Office Address: 2342 Shattuck Avenue #306	City: Berkeley	State/Country: California Postal Code: 94704

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 	Signature of Inventor 2 	Signature of Inventor 3 
HERBERT L. HEYNEKER	KIM D. HA	DAVID K. STEINMILLER
Date <u>June 17, 1999</u>	Date <u>6/17/99</u>	Date <u>6/17/99</u>
Signature of Inventor 4 VICTOR SIMONYI	Signature of Inventor 5 _____ _____ _____	Signature of Inventor 6 _____ _____
Date	Date	Date

POWER OF ATTORNEY BY ASSIGNEE

Eos Biotechnology, Inc. is the Assignee of the invention entitled: APPARATUS AND METHOD FOR CONCURRENT CHEMICAL SYNTHESIS, the specification of which X is attached hereto or _____ was filed on _____ as Application Serial No. _____

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**Kenneth A. Weber, Reg. No. 31,677
Kevin L. Bastian, Reg. No. 34,774
John Storella, Reg. No. 32,944
Andrew T. Serafini, Reg. No. 41,303**

Send Correspondence to: John Storella TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8 th Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, reg. no., tele. no.) John Storella Reg. No.: 32,944 (415) 576-0200
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Date: May 12, 1999

Eos Biotechnology, Inc.

By: 
(Signature)

Name: Herbert L. Heyneker
Title: Vice President and Chief Technical Officer

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Herbert L. Heyneker, of 2244 Steiner Street, San Francisco, CA 94115, NL, Kim D. Ha, of 5540 Bollinger Road, San Jose, CA 95129, US, David K. Steinmiller, of 3737 Middlefield Rd., Palo Alto, CA 94303, US, Victor Simonyi, of 2342 Shattuck Avenue #306, Berkeley, CA 94704, US, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:

APPARATUS AND
METHOD FOR CONCURRENT
CHEMICAL SYNTHESIS

Filing Date:

Herewith

Application No.:

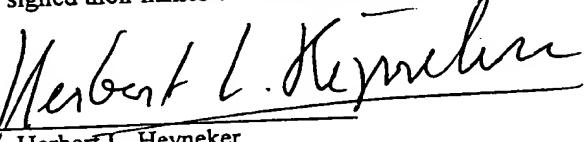
; and

WHEREAS, Eos Biotechnology, Inc., located at 225A Gateway Boulevard, South San Francisco, CA, 94080, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: May 12, 1999


Herbert L. Heyneker

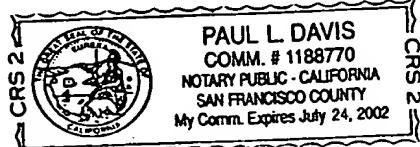
STATE OF CALIFORNIA)
COUNTY OF SAN MATEO) ss.
)

On 5/12/99, before me, Paul L. Davis, personally appeared Herbert L. Heyneker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


 NOTARY PUBLIC

My Commission Expires:

7/24/02

Assignment
Application No.:
Page 2

Dated: 5/12/99

Kim D. Ha

STATE OF CALIFORNIA)
COUNTY OF SAN MATEO) ss.

On 5/12/99, before me, Paul L. Davis, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



NOTARY PUBLIC

My Commission Expires: 7/24/02

Dated: May 12, 1999



David K. Steinmiller

STATE OF CALIFORNIA)
COUNTY OF SAN MATEO) ss.

On 5/12/99, before me, Paul L. Davis, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



NOTARY PUBLIC

My Commission Expires: 7/24/02

Dated: _____

Victor Simonyi

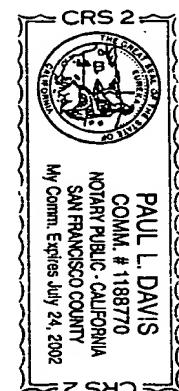
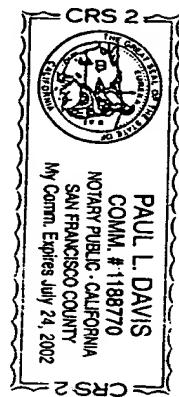
STATE OF CALIFORNIA)
COUNTY OF) ss.

On _____, before me, _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____
SF 199968 v1



Assignment
Application No.:
Page 2

Dated: _____

Kim D. Ha

STATE OF CALIFORNIA)
)
COUNTY OF) ss.

On _____, before me, _____, personally appeared Kim D. Ha, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____

Dated: _____

David K. Steinmiller

STATE OF CALIFORNIA)
)
COUNTY OF) ss.

On _____, before me, _____, personally appeared David K. Steinmiller, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____

Dated: 3-8-99 4-9-99
VFS



Victor Simonyi

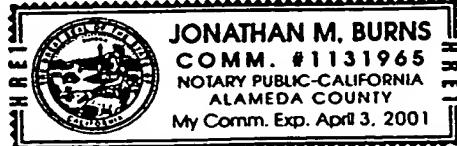
STATE OF CALIFORNIA)
)
COUNTY OF Alameda) ss.

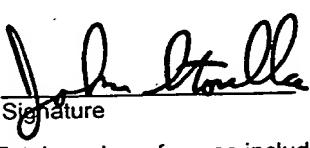
On April 9, 1999, before me, Jonathan M. Burns (notary), personally appeared Victor Simonyi, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: April 3, 2004
SF 109968 v1



FORM PTO-1595 (Rev. 6-93)		Recordation Form Cover Sheet (Patents Only)	U.S. Department of Commerce Patent and Trademark Office
<p>To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof</p> <p>1. Name of conveying party(ies): Herbert L. Heyneker</p> <p>Additional name(s) of conveying parties attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No.</p> <p>3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: May 12, 1999 and April 9, 1999 </p> <p>4. Application Number(s) or Patent Numbers. If this document is being filed together with a new application, the execution date of the application is: (not yet executed)</p> <p>A. Patent Application No(s): (not yet assigned) B. Patent No(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: John Storella TOWNSEND AND TOWNSEND AND CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 (415) 576-0200 </p> <p>6. Total number of applications and patents involved 1 7. Total fee (37 CFR 3.41): \$40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge Fees to Deposit Account <input checked="" type="checkbox"/> Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account. 8. Deposit account number: 20-1430 </p> <p>DO NOT USE THIS SPACE</p> <p>9. Statement and signature. To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.</p> <p>John Storella Name of Person Signing Atty Reg. No. 32,944</p> <p> Signature</p> <p>May 18, 1999 Date</p> <p>Total number of pages including cover sheet, attachments and document 5</p> <p>10. Change Correspondence Address to that of Part 5? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OMB No. 0651-0011 (exp. 4/94)</p> <p>Do not detach this portion</p> <p>Mail documents to be recorded with required cover to:</p> <p>Asst. Commissioner for Patents Box: Assignments Washington, D.C. 20231</p>			

Form PTO-1595
Recordation Form Cover Sheet
Patents Only
Page 2

1. Additional name(s) of conveying party(ies):
(Continued from Page 1)

Kim D. Ha
David K. Steinmiller
Victor Simonyi

2. Additional name(s) and address(es) of receiving party(ies):
(Continued from Page 1)

3. Additional application number(s) or patent number(s):
(Continued from Page 1)

A. Patent Application No.(s)
not yet assigned

B. Patent No.(s)

SF 221526 v1